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FM AMEMBASSY JAKARTA  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 7487  
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY  
RUEHBY/AMEMBASSY CANBERRA PRIORITY 1807  
RUEAWJA/DEPT OF JUSTICE WASHDC PRIORITY  
RUEHKO/AMEMBASSY TOKYO 1353  
RUEHWL/AMEMBASSY WELLINGTON 2191  
RHHJJPI/USPACOM HONOLULU HI  
RHMCSUU/FBI WASHINGTON DC  
RHEHNSC/NSC WASHDC  
RUEAIIA/CIA WASHDC  
RUEKJCS/SECDEF WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 003451

SIPDIS

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DEPT FOR EAP, EAP/MTS, EAP/MLS, S/CT, INL FOR BOULDIN/BUHLER  
DOJ FOR CRIM AAG SWARTZ, DOJ/OPDAT FOR  
LEHMANN/ALEXANDRE/BERMAN  
DOJ/CTS FOR MULLANEY, ST HILAIRE  
FBI FOR ETTUI/SSA ROTH  
NCTC WASHDC  
NSC FOR EPHU

E.O. 12958: DECL: 12/21/2017

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SUBJECT: EXECUTION NEARING FOR BALI BOMBERS?

REF: A. JAKARTA 3426

[1](#)B. JAKARTA 2939

Classified By: Pol/C Joseph Legend Novak, reasons 1.4(b+d).

[1](#)1. (U) This message was coordinated with Consulate General Surabaya.

[1](#)2. (C) SUMMARY: The three terrorists who carried out the first Bali bombing are another step closer to execution. A Bali court has formally received the Supreme Court's ruling upholding the death sentence imposed on the three for the October 2002 attack that killed 202 people. Mission contacts have indicated that--barring an unexpected request for clemency which could delay matters--the executions could be carried out in February 2008. There is no indication that the GOI would grant a clemency petition if one is made. END SUMMARY.

ONE STEP CLOSER

[1](#)3. (SBU) A spokesman for the Attorney General's Office has confirmed that a Bali court officially received (on December 20) the Supreme Court ruling upholding the death penalties for the three Bali bombers. The three terrorists--Amrozi bin Nurhasyim, Imam Samudra and Ali Gufron alias "Muklas"--have been on death row since 2005 for carrying out the deadly attack. The Supreme Court announced the decisions--and the effective end of the appeal process--in September 2007. The rulings were only recently forwarded to the Bali district court where the cases were first heard, however.

[1](#)4. (SBU) Based on a statement made by Attorney General Supandji in October, the condemned men and their families will have one month to submit a request for clemency to the President (ref B). (Note: AGO contacts have confirmed that the clock would start ticking when the decision was formally received by the Bali court, i.e., December 20.) The bombers have repeatedly--and stridently--stated that they will not request clemency, but their families also have a right to make the request on their behalf. Jemmah Islamiyah co-founder Abu Bakar Ba'asyir visited the three in prison

earlier in December and made vague threats about Indonesia facing a "disaster" if the executions were carried out (ref A).

DATE/PLACE STILL TBD

15. (SBU) According to reports, the executions are likely to take place outside of Bali. A press report cited a document issued by the Ministry of Law and Human Rights authorizing the AGO to carry out the executions in other locations. Several observers have cited Nusa Kambangan Island--which lies off the south coast of Central Java and is where the three are currently being held--as the most likely venue.

16. (C) Under Indonesian law, the AGO has the authority to carry out penalties, including executions. Typically the AGO does not indicate publicly the precise location or timing of an execution for security-related reasons. Mission contacts, however, have told us privately that they suspect the executions may take place in February. This would allow the condemned men the promised one month to request clemency. A clemency request could at the very least be cause for additional delay.

NO PUBLIC OUTCRY

17. (C) If there is a clemency request, there is zero indication that President Yudhoyono would grant it. There has been virtually no public outcry re the three terrorists' death row status, though militants have tried to make it a cause. The GOI seems set to carry out the executions and, by doing so, show to the world its considerable horror over what transpired on the evening of October 12, 2002. Since that

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event, the GOI--to its credit--has moved with great success to dismantle the brutal and vicious JI network that carried that attack out.

HUME